IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WISCONSIN

MOTOROLA MOBILITY, INC., and GENERAL INSTRUMENT CORPORATION,))) Civil Action No.	10-cv-699	
Plaintiffs,)) District Judge Willi	iam M. Conlay	
vs.	,) District Judge William M. Conley) Magistrate Judge Stephen L. Crocket	
MICROCOFT CORPORATION)		
MICROSOFT CORPORATION,)		
Defendant.)		

<u>DEFENDANT'S REPLY IN SUPPORT OF ITS MOTION TO DISMISS</u> <u>UNDER RULE 12(b)(6)</u>

Motorola has filed a new Amended Complaint in this case. Microsoft will respond to that complaint as required by the rules. Microsoft agrees that the instant motion is moot because the complaint that was the subject matter of this motion has been superseded.

Microsoft asks the Court to dismiss the instant motion without prejudice to Microsoft's right to file any similar motion with respect to the Amended Complaint or any later complaint, if appropriate. Microsoft also notes that the Amended Complaint does not change any of the issues in its co-pending "Motion To Dismiss, Stay Or, In The Alternative, Transfer Venue," ECF No. 19.

Dated this 21st day of January 2011.

MICHAEL BEST & FRIEDRICH LLP

By: /s/ J. Donald Best

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 21st day of January, 2011, I electronically filed the foregoing document with the Clerk of the Court, using the CM/ECF system, which will automatically send email notification of such filing to all counsel who have entered an appearance in this action.

Respectfully submitted,

/s/ J. Donald Best

J. Donald Best